

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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PAKENAUTH GEER,

Plaintiff,

-v-

9:14-CV-0984  
(DNH/DEP)

TIM SHEEHAN, Assistant Superintendent,  
Washington Correctional Facility;

Defendant.  
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APPEARANCES:

OF COUNSEL:

PAKENAUTH GEER  
Plaintiff, *Pro Se*  
05-A-1952  
Buffalo Federal Detention Facility  
4250 Federal Drive  
Batavia, New York 14020

HON. ERIC T. SCHNEIDERMAN  
Attorney General for the State of New York  
Attorneys for Defendant  
The Capitol  
Albany, New York 12224

MICHAEL G. MCCARTIN, ESQ.  
Ass't Attorney General

DAVID N. HURD  
United States District Judge

**DECISION and ORDER**

*Pro se* plaintiff Pakenauth Geer brought this civil rights action pursuant to 42 U.S.C. § 1983. On December 22, 2014, plaintiff amended his complaint. See ECF No. 5. On February 6, 2017, the Honorable David E. Peebles, United States Magistrate Judge, advised by Report-Recommendation that the defendants' motion for summary judgment pursuant to Federal Rule

of Civil Procedure 56 (ECF No. 20) be granted. No objections to the Report-Recommendation have been filed.

Based upon a careful review of the entire file and the recommendations of the Magistrate Judge, the Report-Recommendation is accepted in whole. See 28 U.S.C. § 636(b)(1).

Therefore, it is ORDERED that:

(1) Defendants' motion for summary judgment pursuant to Federal Rule of Civil Procedure 56 (ECF No. 20) is **GRANTED**;


(2) The Complaint is **DISMISSED IN ITS ENTIRETY**;

(3) The Clerk serve a copy of this Decision and Order upon plaintiff in accordance with the Local Rules.

The Clerk of the Court shall enter judgment and close the case

IT IS SO ORDERED.

Dated: March 24, 2017  
Utica, New York

  
United States District Judge